

Response  
Serial No. 09/814,656

Docket No. US010088

**REMARKS**

Request for reconsideration and allowance of all the pending claims are respectfully requested in light of the amendments and following remarks. Independent claims 1, 8 and 14 have been amended; support for these amendment can at least be found the specification on page 5, lines 11-19. Claims 1-22 are pending herein and stand rejected.

Claims 1-4, 6, 8, 9, 11, 12, 14, 15 & 18-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatenable over Bruls (U.S. 6,459,850).

Claim 1, as amended, recites:

1. A method for automatically adjusting recording bit rates, the method comprising the steps of:
  - (a) receiving a plurality of video programs;
  - (b) concurrently with step (a), analyzing the content of said video programs to categorize said video programs into a plurality of categories;
  - (c) determining target bit rates *and quality levels* for the respective said video programs according to the corresponding analysis outcome; and,
  - (d) encoding said video programs based on the corresponding target bit rates determined in step (c).

Independent claims 8 and 14 recite similar limitations.

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The claims, as amended, now specifically require that quality levels be established for each video program. Bruls does not teach "determining target bit rates *and quality levels* for the respective said video programs according to the corresponding analysis outcome." Bruls teaches that: "The program complexity will be used to control the settings of the compression unit, so as, to set higher compression for a more complex program. Thus, Bruls teaches that the program complexity is used to set higher or lower compression and does not specifically determine quality levels for each video program.

Having shown that the device resulting from the teachings of the cited references does not include all the elements of the present invention, applicant submits that the reasons for the examiner's rejections of the claims have been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of instant independent claims 1, 8 and 14.

Claims 7, 10 & 16 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bruls in view of Kuroda (U.S. 6,311,011). Claims 5, 13 & 22 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bruls in view of Kikuchi et al. (U.S. 6,577,811). Claim 17 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bruls in view of Kuroda in further view of Kikuchi et al.

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Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims. Dependent claims 5, 7, 10, 13 16, 17 and 22 are dependent from one of the independent claims discussed above, and are believed allowable for at least the same reasons. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. Entry of this amendment and a Notice of Allowance is respectfully requested.

Respectfully submitted,

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